

REMARKS

Claims 1-5 are pending and under consideration in the above-identified application.

In the Office Action of December 11, 2009, claims 1-5 were rejected.

With this Amendment, claim 1 is amended.

I. 35 U.S.C. § 103 Obviousness Rejection of Claims

Claims 1-2 and 5 were rejected under 35 U.S.C. § 103(a) as being unpatentable over *Brunner* (U.S. Pat. Pub. No. 2005/0221528) (“*Brunner*”) in view of *Murakami* (U.S. Pat. No. 4,838,088) (“*Murakami*”) or *Cady* (U.S. Pat. No. 4,262,399) (“*Cady*”) and *Wolf* (vol. 1, pages 331-332) (“*Wolf*”).

Claims 3-4 were rejected under 35 U.S.C. § 103(a) as being unpatentable *Brunner* in view *Murakami* or *Cady* in view of *Zurn* (U.S. Pat. No. 6,621,134) (“*Zurn*”) and in further view of *Schmid* (U.S. Pat. No. 6,761,068) (“*Schmid*”).

Applicant respectfully traverses this rejection.

In relevant part, independent claim 1 recites a step of performing a film-formation treatment by sputtering at a reduced pressure following the etching of a sacrifice layer so as to form a sputtering layer that seals a penetrating hole and is also formed into at least one wire.

The Examiner correctly asserts that *Brunner* fails to disclose or even fairly suggest a step of performing a film-formation treatment by sputtering at a reduced pressure following a sacrifice-layer etching so as to form a sputtering layer that seals the penetrating hole and is formed into a wiring layer. Accordingly, *Brunner* also fails to disclose a step of performing a film-formation treatment by sputtering at a reduced pressure following the etching of a sacrifice layer so as to form a sputtering layer that seals a penetrating hole and is also formed into at least one wire.

Murakami and *Cady*, similarly, fail to disclose or even fairly suggest a step of performing a film-formation treatment by sputtering at a reduced pressure following a sacrifice-layer etching so as to form a sputtering layer that seals the penetrating hole and is formed into at least one wire. Instead, *Murakami* discloses filling a perforation with a conductive thin film and then forming wires to connect different parts of the transducer. See, U.S. Pat. No. 4,838,088, Col. 4, l. 20-43. *Cady* merely discloses sealing a hole in a layer using a conductive material. See, U.S. Pat. No. 4,262,399, Col. 2, l. 47-69. This cannot be fairly viewed as sealing a penetrating hole and forming at least one wire in the same step, because both references merely disclose a step of filling a penetrating hole using a conducting film only without forming at least one wire.

Wolf, *Zurn* and *Schmid* fail to disclose anything pertaining to performing a film-formation treatment by sputtering at a reduced pressure following the sacrifice-layer etching so as to form a sputtering layer that seals the penetrating hole and is formed into at least one wire.

Therefore, because *Brunner*, *Murakami*, *Cady*, *Wolf*, *Zurn* and *Schmid* and any combination of them fails to disclose or even fairly suggest every element of claim 1, the rejection cannot stand. Since claims 2-5 depend, either directly or indirectly, from claim 1, they are allowable for at least the same reasons.

II. Conclusion

In view of the above amendments and remarks, Applicant submits that all claims are clearly allowable over the cited prior art, and respectfully requests early and favorable notification to that effect.

Respectfully submitted,

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